

ESTTA Tracking number: **ESTTA535318**

Filing date: **04/30/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	91210397
Applicant	Plaintiff Ovation LLC
Other Party	Defendant Ovation, Inc.

Motion for Suspension in View of Civil Proceeding With Consent

The parties are engaged in a civil action which may have a bearing on this proceeding. Accordingly, Ovation LLC hereby requests suspension of this proceeding pending a final determination of the civil action. Trademark Rule 2.117.

Ovation LLC has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Ovation LLC has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,

/cek/

Candice E. Kim

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04/30/2013

)	
OVATION LLC, a Delaware limited liability)	
company,)	
)	
Opposer,)	
)	Opposition No. 91-210,397
v.)	
)	
OVATION, INC., a Tennessee corporation,)	
)	
Applicant.)	
)	

Pursuant to 37 C.F.R. § 2.117(a) and Section 510.02(a) of the Trademark Trial and Appeal Board (the “Board”) Manual of Procedure (“TBMP”), Opposer Ovation LLC (the “Opposer”) and Applicant Ovation, Inc. (the “Applicant”)(collectively, the “Parties”), hereby stipulate to suspend Opposition Proceeding No. 91-210,397, pending the outcome of another Board proceeding in which the Parties are involved.

* * * *

This Stipulated Motion to Suspend Proceedings has been agreed to by counsel for Applicant, Paige W. Mills, whose consent is of record. Accordingly, the Parties respectfully request that the Board suspend Opposition No. 91-210,397 pending the outcome of Opposition No. 92-053,911.

Respectfully submitted,

Dated: April 30, 2013

By:



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Attorneys for Opposer

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing **STIPULATED MOTION TO SUSPEND PROCEEDINGS** upon Applicant by depositing one copy thereof in the U.S. Mail, First-Class, postage prepaid, on April 30, 2013, addressed as follows:

Paige W. Mills
Robert L. Brewer
BASS BERRY & SIMS PLC
150 Third Avenue South, Suite 2800
Nashville, TN 37201-2017


